

**CIVIL EMERGENCY ORDER
CITY OF SEATTLE**

IMPOSING A GENERAL CURFEW

WHEREAS, in my capacity as Mayor, I proclaimed a civil emergency exists in the City of Seattle in the Mayoral Proclamation of Civil Emergency Dated May 30, 2020 at 4.58 p.m.; and

WHEREAS, the facts stated in that proclamation continue to exist and where the following additional facts have come to light: during the demonstrations on May 30, 2020, at least eight vehicles were destroyed and burned, many buildings were damaged and vandalized, windows broken, property was stolen and some had fire damage; and

WHEREAS, demonstrators used fireworks, Molotov cocktails, and other incendiary devices to burn vehicles and buildings; and

WHEREAS, the City continues to support demonstrators exercising their First Amendment right to protest throughout the City during the non-curfew hours. On May 31, peaceful protests occurred on Capitol Hill, First Hill and downtown; and.

WHEREAS, property destruction and vandalism leading to arrests continued throughout the evening on May, 31, 2020 in the downtown core, Capitol Hill and First Hill; and

WHEREAS, violence also occurred in other areas of King County on May 31, 2020. Property damage, rioting and looting took place in Bellevue, Tukwila, Renton and Auburn, resulting in emergency declarations and imposition of curfews in those jurisdictions; and

WHEREAS, The Seattle Police Department expects demonstrations to continue in the City during the evening hours of June 1 into the early morning hours of June 2. A City-wide curfew is needed because the exact locations of those expected demonstrations and violence are unknown at this time; and

WHEREAS, those intent on committing violence and property damage are mobile and able to travel quickly to different areas of the City; and

WHEREAS, the Governor's Stay Home - Stay Healthy Order issued on March 23, 2020 is still in full effect, which requires people to stay home and avoid public gatherings during the pandemic in order to combat the spread of the COVID-19 virus, unless it is for an essential purpose; and

WHEREAS, simultaneous with the Mayoral Proclamation of Civil Emergency, a civil emergency order imposing a general curfew was issued on May 30, 2020 and the conditions exist to extend the general curfew; and

WHEREAS, I am basing this Civil Emergency Order on the facts referred to in the preceding recitals; and

WHEREAS, the civil emergency necessitates the utilization of emergency powers granted to the Mayor pursuant to the Charter of the City of Seattle, Article V, Section 2, Seattle Municipal Code, Chapter 10.02 and RCW Chapter 38.52, including the power to enact a general curfew as set forth in Seattle Municipal Code, Chapter 10.02.020(A)(1); and

WHEREAS, it is necessary to use extraordinary measures to protect the public peace, safety and welfare; and

WHEREAS, the conditions of this Civil Emergency Order are designed to provide the least necessary restriction on the rights of the public; and

WHEREAS, I believe it is in the best interest of the public safety, rescue and recovery efforts and the protection of property that a general curfew be entered in the manner contemplated in this Civil Emergency Order; therefore,

BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF SEATTLE, THE HONORABLE JENNY DURKAN, THAT:

I, JENNY A. DURKAN, MAYOR OF THE CITY OF SEATTLE, ACTING UNDER THE AUTHORITY OF SEATTLE MUNICIPAL CODE SECTIONS 10.02.020, 10.02.025, AND 10.02.030, AND MY MAYORAL PROCLAMATION OF CIVIL EMERGENCY, DATED May 30, 2020 HEREBY ORDER:

SECTION 1:

A. A general curfew is imposed in the City of Seattle: commencing at 6:00 p.m. on June 1, 2020 and shall continue until 5:00 a.m. on June 2, 2020, no person shall enter or remain in a public place as defined in SMC 15.02.046(I).

B. This general curfew shall not apply to Seattle Police Department personnel who are actively engaged in carrying out their duties or other law enforcement personnel who are actively engaged in providing assistance to the City pursuant to a Mayoral Proclamation or Order in effect; emergency personnel actively engaged in carrying out their duties; other City officials and government personnel who are actively engaged in carrying out their duties with valid identification; and representatives of the media authorized in advance by the Office of the Mayor or the Chief of the Seattle Police Department or her designee; and people who are essential workers or actively engaged in essential functions, including seeking medical care. For purposes of this Order, the phrase “actively engaged in carrying out their duties” includes traveling to and from the location of those duties to begin or end a work shift.

C. The Seattle Police Department or other law enforcement agencies providing assistance to the City of Seattle shall enforce this Order.

SECTION 2:

Any person found to have knowingly violated this Civil Emergency Order is guilty of Failure to Obey the Mayor's Emergency Order, and upon conviction may be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment for not more than One Hundred and Eighty (180) days or both such fine and imprisonment. SMC 10.02.110; 12A.26.040.

SECTION 3:

All mayoral proclamations presently in effect shall remain in full force and effect except that, insofar as any provision of any such prior proclamation is inconsistent with any provision of this proclamation, then the provision of this proclamation shall control.

SECTION 4:

A copy of this Civil Emergency Order shall be delivered to the Governor of the State of Washington and to the County Executive of King County. To the extent practicable, a copy of this Civil Emergency Order shall be made available to all news media within the City and to the general public. In order to give the widest dissemination of this Civil Emergency Order to the public, as many other available means as may be practical shall be used, including but not limited to posting on public facilities and public address systems. SMC 10.02.100.

SECTION 5:

This Civil Emergency Order shall immediately, or as soon as practical, be filed with the City Clerk for presentation to the City Council for ratification and confirmation, modification or rejection, and if rejected this Civil Emergency Order shall be void. The Council shall consider the statements set forth in SMC 10.02.025 and may, by resolution, modify or reject the order. If the City Council modifies or rejects this Civil Emergency Order, said modification or rejection shall be prospective only, and shall not affect any actions taken prior to the modification or rejection of this Civil Emergency Order as set forth in Seattle Municipal Code subsection 10.02.020.B. The Council shall endeavor to act on any order within 48 hours of its being presented to the Council by the Mayor

DATED this _____ day of _____, 2020, at _____ am/pm.

JENNY A. DURKAN
MAYOR OF THE CITY OF SEATTLE